

Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 /027 R

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ARA/NC - DCOX
-----240903Z 117684 /14
R 240113Z DEC 76
FM SECSTATE WASHDC
TO AMEMBASSY BOGOTA

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E.O. 11652: N/A

TAGS: EAIR, US, CO

SUBJECT: CIVAIR - NOTICE OF DISSATISFACTION RE GROUP-40
GIT FARES

REF : BOGOTA 12435

FOLLOWING IS FOR EMBASSY'S INFORMATION AND INFORMAL USE
AS IT DEEMS APPROPRIATE:

A. AVIANCA SEEMS TO HAVE MISINTERPRETED THE NOTICE OF
DISSATISFACTION AS NOTICE THAT THE USG HAD ALREADY
ACTED AGAINST THE FARE. RATHER, NOTICE IS INTENDED TO
INFORM THE AIRLINE'S GOVERNMENT OF IMPENDING POSSIBLE
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ACTION AND PROVIDE OPPORTUNITY FOR THAT GOVERNMENT TO
OFFER ITS VIEWS OR REQUEST CONSULTATIONS BEFORE ACTION
IS TAKEN. (SEE PARAGRAPH F OF ANNEX I TO THE U.S.-
COLOMBIA AIR TRANSPORT AGREEMENT.)

B. ON SUBSTANCE OF ISSUE, AVIANCA ARGUMENT IS CONSONANT

WITH THE THEORY THAT IT WISHES TO FILL ITS 747 "AT ANY PRICE". THERE IS NO SHOWING THAT THE PROPOSED GROUP-40 FARE IS ECONOMIC (I.E., COVERS COSTS), NOR THAT IT WOULD CREATE NEW TRAFFIC RATHER THAN DIVERTING TRAFFIC FROM EXISTING, HIGHER SCHEDULED FARES.

C. AVIANCA HAS RESUBMITTED ITS GROUP-40 FARE TO IATA AT A SOMEWHAT HIGHER LEVEL AND THUS MAY WELL OBTAIN THE APPROVAL OF OTHER AIRLINES, INCLUDING BRANIFF. AT HIGHER LEVEL, FARE IS LESS LIKELY TO BE DIVERSIONARY, AND THUS LESS LIKELY TO MEET OBJECTION FROM CAB. KISSINGER

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